

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.6261 of 2022

Dr. Murli Manohar Ghosh S/o Late Siya Ram Ghosh, Resident of Flat No.1C,
Dayal Regency, East Boring Canal Road, P.S. Budha Colony, Patna-800001.

... .. Petitioner/s

Versus

1. The State of Bihar through the Principal Secretary, Agriculture Department, Government of Bihar, New Secretariate, Patna.
2. The Secretary, Agriculture Department, Government of Bihar, New Secretariate, Patna.
3. The Director (Agriculture), Government of Bihar, New Secretariate, Patna.
4. The Bihar State Agriculture Marketing Board (Dissolve) through its Administrator, Pant Bhawan, Jawaharlal Nehru Marg, Patna.
5. The Administrator, Bihar State Agriculture Marketing Board (Dissolve) Pant Bhawan, Jawaharlal Nehru Marg, Patna.

... .. Respondent/s

Appearance :

For the Petitioner/s	:	Mr.Saroj Kumar, Advocate
For the Respondent/s	:	Mr.Sarvesh Kr. Singh (AAG-13)
		Mrs. Sarita Kumari, AC to AAG-13

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 23-11-2023 The present writ petition has been filed
seeking the following reliefs:-

“1. i. For a direction on the respondents to consider the case of petitioner for grant of benefit of 1st and 2nd assured financial progression in favour of the petitioner under ACP Scheme 2003 since the petitioner stood retired on 31.01.2015 from the post of Assistant Director, Agriculture (Evaluation) from the office of Joint Director, Agriculture, Mithapur, Patna,



on deputation on the post of Under Secretary, Bihar State Agriculture Marketing Board (Dissolve), Pant Bhawan, Jawaharlal Nehru Marg, Patna.

ii. For a direction on the respondent to consider the case of petitioner for grant of 3rd financial progression under MACP Scheme 2010 with consequential benefit.

iii. For a direction on the respondents to revise the retirement benefit of the petitioner including gratuity and leave encashment and to pay difference thereof alongwith statutory and delayed interest.

iv. For a direction on the respondents to grant delayed interest at the rate of 6% per annum, in terms of government decision itself on the difference of salary due to 1st and 2nd & 3rd MACP from due date of payment to actual date of payment."

2. At the outset, the learned counsel for the respondent-State has referred to paragraph-13 and 14 of the counter affidavit filed in the present case to submit that the petitioner has already been granted the benefits of first and second A.C.P. with



effect from 09.08.1999 and 01.09.2005 respectively, hence the present writ petition has been rendered infructuous.

3. Having regard to the aforesaid stand taken by the respondent-State, which has not been disputed by the petitioner inasmuch as no rejoinder affidavit has been filed, though I deem it fit and proper to dispose off the present writ petition, however, with a direction to the respondent authorities to pay the actual monetary benefits emanating out of the grant of first and second ACP within a period of four weeks from today, in case the same has not already been paid.

4. The writ petition stands disposed off.

(Mohit Kumar Shah, J)

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